Remarks/Arguments:

By this Amendment, applicant has amended claims 1, 4 and 7. Claims 1-15 are pending.

Objection To Abstract

The abstract is objected to because it contains more than 150 words. By this Amendment, applicant has amended the abstract to place it in a form to overcome the Examiner's objection.

Claim Rejections Under § 112

Claim 7 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for reasons set forth in numbered paragraph 5 of the Office Action. Following the Examiner's guidance, applicant has amended claim 7 to overcome the basis for the § 112 rejection.

Applicant submit that all claims are in full compliance with § 102.

Double Patenting Rejection

Claims 1, 4, 9, 12 and 15 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 7, 10, 16, 22, 23, 27, 28 and 29 of U. S. Patent 5,752,042. Applicants are concurrently filing a Terminal Disclaimer to overcome this double patenting rejection.

Claim Rejections of § 102

Claims 1-15 stand rejected over 35 U.S.C. § 102(e) as being anticipated by Nonaka. By this Amendment, applicant respectfully traverses the § 102(e) rejection.

Claims 1, 4, 9, 12 and 15 are independent claims. Claims 2 and 3 are dependent on claim1; claims 5-8 are dependent on claim 4; claims 10-11 are dependent on claim 9; and claims 13-14 are dependent on claim 1.

Turning first to claim 1, it is directed to an administration server for determining whether to provide a software program update to a processor group, where the processor group includes a plurality of client processors. The administration server includes the following features:

- configuration receiving means for receiving and storing a set of system configuration attributes from the processor group, the system configuration attributes indicating whether a copy of a client software program may be applicable to the processor group,

- configuration transmitting means for transmitting the set of system configuration attributes to a selection server,

- update receiving means for receiving **an update recognizer program** from the selection server, the update recognizer program being associated with the client software program **and executed at the processor group to determine if an update is applied,** and

- update recognizer transmitting means for transmitting the update recognizer program to the processor group, wherein the processor group executes **the update recognizer program to issue a notification indicating whether a software program update is applicable to the copy of the client software program in the processor.**

Applicant submits that the administration server of claim 1 is patentably distinguished from the Nonaka patent at least based on the requirement of the update recognizer program being executed at the processor group and being used to determine if an update is applied to the processor (hereinafter generally referred to as the "Update Recognizer Program Feature" of applicant's claimed invention). Simply put, the Nonaka patent does not teach or suggest the Update Recognizer Program Feature of applicant's claim 1. The advantage of the Update Recognizer Program Feature is that it is executed at the processor and itself determines whether or not an update of a client's software program is required. This feature and the advantage of applicant's claimed administration server is not found or suggested in the Nonaka patent.

The Nonaka patent includes a server 10, a client 20, disk storage 25, client OS 26, and redirector 27. In the information processing system updating process of Nonaka, redirectors of identical versions are run at anytime, to prevent any error ascribable to different programs from occurring. When a redirector stored in a client machine is started, it notifies version information of it own to a configuration management program stored in a server machine. In a case where version information of a redirector stored in a configuration management data base is newer than the notified version information, the configuration management program sends an update request back to the redirector of the client machine and transfers the new redirector to the client machine so as to update the redirector thereof. But no where in the Nonaka patent is there any teaching or suggestion of an update recognizer program which is executed at the processor group to determine if an update is applied. In other words, the Update Recognizer Program Feature is lacking in the Nonaka patent. And based at least on this feature, the Nonaka patent cannot anticipate or render obvious the administrative server defined by applicant's claim 1 to which claims 2 and 3 depend.

Applicant has also amended claims 4 so that it too more clearly defines the Update Recognizer Program Feature. Independent claims 9, 12 and 15 already include the Update Recognizer Program Feature. With respect to claim 9, applicant draws the Examiner's attention to the following:

- transmitting the update recognizer program from the first server processor to the processor group, and

- executing the update recognizer program in the processor group in order to issue a notification indicating whether a software program update is applicable to the copy of the client software program in the processor group.

As to claim 12, applicant points the Examiner to the following statement:

- means for causing the administration server processor to transmit the update recognizer program to the processor group, wherein the processor group executes the update recognizer program to issue a notification

indicating whether a software program update is applicable to the copy of the client software program in the processor group.

As to claim 15, applicant directs the Examiner to the following statement:

- update recognizer transmitting means for transmitting the update recognizer program to the processor group, wherein the processor group executes the update recognizer program to issue a notification indicating whether a software program update is applicable to the copy of the client software program in the processor group.

Based on the foregoing remarks, applicant respectfully submits that all pending claims are patentably distinguished from the Nonaka patent at least based on the Update Recognizer Program Feature. Applicant therefore requests that § 102(e) rejection directed to claims 1-15 be withdrawn.

In view of the foregoing remarks and amendments, applicant respectfully submit that claims 1-15 are in condition for allowance. Reconsideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,

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Attachments: Abstract

Dated: May 5, 2004

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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.	I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

May 5, 2004

Patricia C. Bocella

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